

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Nagarjunasagar Project- Arranging payment to the contractor for an amount of Rs 14,84,515/- through the Additional Senior Civil Judge, Narsaraopet subject to verification and confirmation of the amount by the Chief Engineer, Nagarjunasagar Project – Permission-Accorded- Orders- Issued.

IRRIGATION & CAD (M&M.I.T.1.A2) DEPARTMENT

G.O.Ms.No. 72

Dated: 30-10-2012

Read –

- 1) From the Chief Engineer, Nagarjunasagar Project,, Lr.No. CE/NSP/G/OT3/D1/6510/86, dated 18-03-2010.
- 2) From the CE, NSP, Hyd Lr.No. CE/NSP/GNT/OT3/D.1/6510/86, dated 26-07-2012.

ORDER:

In the reference 2nd read above, the Chief Engineer, Nagarjunasagar Project has submitted that the E.P. No.37/2008 filed by Sri Makineni Peda Rathaiah has claimed Rs.1,45,41,671/- (Rupees One crore forty five lakhs and forty one thousand, six hundred and seventy one only) on the decree amount of Rs.35,29,535/- with 24% interest per annum for the period from 03.04.1995 (The date of suit filed by the plaintiff) to till realization. Later a review petition was filed by the Department in the Hon'ble Supreme Court of India, New Delhi through I.A. No.1-2/2009 in Civil Appeal No.1087/2008 and 1088/2008 and requested the Hon'ble Supreme Court to clarify the judgment order, dated.07.02.2008 and rehearing of the appeals for passing further orders and pending disposal of the above I.A. to stay E.P. proceedings. Based on the I.A. No.1-2/2009, the Hon'ble Supreme Court of India has clarified the order and directed the High Court of Andhra Pradesh, Hyderabad to decide the appeals of the State Government on merits.

2. The C.M.A. No.3514/2003 and C.R.P. No.4880/2003 remanded by the Supreme Court of India were heard by the Division Bench, A.P. High Court of Andhra Pradesh, Hyderabad on 28.12.2010. After hearing the arguments of both counsel, the learned judge reserved the matter for judgment. On 21.04.2011, the learned judge has pronounced the judgment partly allowing the appeal and revision filed by the Government.

3. Further, the Additional Senior Civil Judge, Narsaraopet has issued the attachment orders under order.21, Rule.54 CPC against the E.P. schedule properties belongs to the Superintending Engineer, NSJC O&M Circle, Lingamguntla on payment of process.

4. In view of the above circumstances, the Chief Engineer, Nagarjunasagar Project, has calculated the amounts as per the High Court order, dated.21.04.2011 and the judgment was delivered to pay an amount of Rs.7,68,900/- by allowing claims of 1A, 2A, 3A and 11A (4 claims out of 26 claims) with 10.25% interest is allowed, till realization.

5. The Chief Engineer, Nagarjunasagar Project, has, therefore, requested for arranging payment to the Contractor for an amount of Rs.14,84,515/- i.e., (Principle amount Rs 7,68,900+ Interest amount Rs 7,15,615) through the Additional Senior Civil Judge, Narsaraopet to avoid further legal complications.

6. Government after careful examination hereby accord permission to the Chief Engineer, Nagarjunasagar Project for arranging payment to the Contractor for an amount of **Rs.14,84,515/-** through the Additional Senior Civil Judge, Narsaraopet subject to verification and confirmation of the amount by the Chief Engineer, Nagarjunasagar Project, ensuring that the proposal of the Chief Engineer is in conformity with the orders of Hon'ble A.P. High Court.

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7. The expenditure shall be chargeable to the Head of Account i.e. "MH 4700-COL on Major Irrigation (01) Major Irrigation Commercial, 129 Nagarjunasagar Project- GH-11- Normal State Plan SH (27) C&D 530 Major Works 531 O.E".

8. The Chief Engineer, Nagarjuna Sagar Project, Hill Colony, Nalgonda shall take necessary action accordingly.

9. This order issues with the concurrence of Finance (W&P) Department vide their U.O.No 3012/F2(1)/12-1, dated 11-09-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Chief Engineer, Nagarjuna Sagar Project, Hill Colony, Nalgonda
The Accountant General, Andhra Pradesh, Hyderabad.
The Director of Works & Accounts, Hyderabad.
The Joint Director of Works & Accounts, Hill Colony,
NS Dam, Nalgonda Dist.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER